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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,724	04/10/2001	John E. Jones	47171-00283	8425

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EXAMINER

NOWLIN, APRIL A

ART UNIT PAPER NUMBER

2876

DATE MAILED: 09/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,724

Applicant(s)

JONES, JOHN E.

Examiner

April A. Nowlin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-39, 41, 43-84, 87, 90, 103-107 and 110-133 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-39, 41, 43-84, 87, 90, 103-107 and 110-133 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Receipt is acknowledged of the Amendment filed 06 May 2003.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, 12-25, 28-39, 41, 43-66, 68-71, 73, 74, 80-84, 87, 90, 103-105, 110-116, and 118-130, 132, and 133 are rejected under 35 U.S.C. 102(e) as being anticipated by Stoutenburg et al (US 2002/0166891 A1).

Re claims 1, 31, 32, 57, 80, 103, 110-113, 115, 116, 118, and 119: Stoutenburg et al discloses an automated point-of-sale check processing system comprising:

a document scanner comprising a slot adapted to accept a document associate with a customer transaction;

means for customer authorizing an agreement for the document to be processed in accordance with an automated account clearing process;

an image scanner acquiring at least one image of the document;

a communication interface coupled to a central document clearinghouse and adapted to communicate the document image following customer authorization of the agreement to the central document clearinghouse for automated account clearing processing of the document, whereby the document is a check. (See figure 15B; page 23, paragraph 243 to page 24, paragraph 253)

Re claims 2, 44, 59, 82, 103, and 128: Wherein the image scanner further obtains field information from the document image, and wherein the communication interface communicates the field information along with the document image to the central document clearinghouse for automated account clearing processing of the document (see page 23, paragraph 244).

Re claims 3, 4, 7, 21, 35-37, 48, and 61: Wherein the means for customer authorizing comprises means for imprinting an authorization agreement for the automated account clearing process on the document (see page 24, paragraph 251).

Re claims 5, 6, 38, and 39: Wherein the imprinting means comprises a stamp for stamping the authorization agreement on the document and wherein the stamp further includes a promise to pay (see page 24, paragraph 251).

Re claims 8 and 41: Wherein the means for customer authorizing comprises means for imprinting an authorization agreement for the automated account clearing process on a receipt for the customer transaction (see page 24, paragraphs 250-251).

Re claims 9, 10, and 43: Wherein the imprinting means comprises a stamp for stamping the authorization agreement on the receipt and wherein the stamp further includes a promise to pay (see page 24, paragraphs 250-251).

Re claims 12, 45, 110, 114, and 122: Wherein the means for customer authorizing comprises means for displaying an authorization agreement for the automated account clearing process to the customer.

Re claims 13, 46, 110, 114, and 124: The system further comprises an electronic signature pad and an electronic pen (see page 24, paragraph 250-251).

Re claims 14, 47, 122, and 123: The system further comprises a data input device wherein the customer actuates the data input device to execute the authorization agreement (see page 24, paragraph 250-251).

Re claims 15, 49, 62, 118, 120, 121, 125, and 132: Wherein the means for customer authorizing comprises a printer for printing an authorization agreement for the automated account clearing process on the document, further comprising a transport mechanism for conveying the document past the printer and returning the document to the customer for execution of the authorization agreement by the customer (see page 24, paragraph 248-251).

Re claims 16, 63, and 104: The system further comprises a controller coupled to the transport mechanism.

Re claims 17, 33, 50, 111, 112, and 126: Wherein the printer is further adapted to inscribe the document with an indicia of cancellation (see page 24, paragraph 249).

Re claims 18 and 34: Wherein the slot is further adapted to return the canceled document to the customer at the site of the transaction (see page 24, paragraph 249).

Re claim 19: The system further comprises a second printer adapted to inscribe the document with an indicia of cancellation (see page 24, paragraphs 249-251).

Re claims 20, 56, 64, and 127: The system further comprises a second printer adapted to inscribe the document with a transaction amount (see page 23, paragraph 245).

Re claim 22: The system further includes an input device through which a transaction amount is keyed in, the document scanner further including means for recognizing a transaction amount in the imaged document and adapted to compare the recognized transaction against the keyed in transaction amount (see page 23, paragraphs 243-245).

Re claims 23 and 24: The system further comprises at least one interface adapted to display information to an operator or the customer and adapted to receive a command from the operator or the customer (see page 24, paragraph 250).

Re claims 25, 66, 105, and 129: Wherein the scanner further comprises a single scanhead

Re claims 28, 52, 53, 74, and 90: Wherein pluralities of documents are scanned and a plurality of document images is transmitted by the communication interface in a batch to the central document clearinghouse.

Re claims 29 and 54: Wherein the document scanner transports and scans the document such that a longer edge of the document is perpendicular to the direction of transport.

Re claims 30 and 55: Wherein the document scanner transports and scans the document such that a longer edge of the document is parallel to the direction of transport.

Re claim 51: A method of returning the canceled document to the customer as the site of the transaction (see page 24, paragraph 249).

Re claims 58, 65, 68, 81, 84, and 130: Wherein the images obtained are full images of the checks (see page 23, paragraph 244).

Re claims 60, 69, 70, 82, and 83: Wherein the images obtained are of selected portions of the check (see page 23, paragraph 244).

Re claims 71 and 87: The system further comprises a MICR reader 35 for reading MICR data from the checks (see page 23, paragraph 244).

Re claim 73: Wherein the document scanner comprises a single acceptance and return slot.

Re claim 133: Wherein the system includes a plurality of point of sale processing units networked through the communication link to the central check clearinghouse.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 26, 27, 67, 72, 75-79, 106, 107, 117, and 131 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoutenburg et al (US 2002/0166891).

Re claims 26, 72, 106, and 131: Stoutenburg et al fails to teach or fairly suggest wherein the image scanner comprises multiple scanheads. However, it would have

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been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the notoriously old and well known multiple scanheads scanner to teaching of Stoutenburg et al in order to scan a document more efficiently and faster.

Re claims 27, 67, 75-79, 107, and 117: Stoutenburg et al fails to teach or fairly suggest wherein the image scanner comprises a mirror for receiving images of a document. Although Stoutenburg et al doesn't specifically mention that the scanner includes a mirror for receiving images of a document, the Examiner takes Official Notice that document scanners/imagers having a mirror for receiving images of a document is well known in the art.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Templeton et al (US 6,547,132) discloses a point of sale payment terminal; and Harris et al (US 6,247,645) discloses an optical reader for use with point of sale systems.

Response to Arguments

7. Applicant's arguments with respect to claims 1, 32, 57, 75, 80, and 103 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April A. Nowlin whose telephone number is (703) 605-

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1219. The examiner can normally be reached on Monday - Friday from 6:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [april.nowlin@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


AAN

September 8, 2003



THIEN M. LE
PRIMARY EXAMINER